

**MINUTES
REPRESENTATIVE TOWN MEETING
JANUARY 23, 2012**

CALL TO ORDER

A Regular Representative Town Meeting was called to order at 8:05 p.m. by Donna Rajczewski, Town Clerk, who announced that District I has three new members: Bob Kernan, Peter Firmin and Noelle Henderson.

Upon Roll Call, the following members were present:

From District I, there were 16 members present, 0 absent.
From District II, there were 14 members present, 1 absent.
From District III, there were 12 members present, 6 absent.
From District IV, there were 11 members present, 4 absent.
From District V, there were 12 members present, 4 absent.
From District VI, there were 13 members present, 3 absent.

The absentee from District II was: Maguire.

The absentees from District III were: Bayne, Coyne, Martens, Olvany, Smith, Young.

The absentees from District IV were: Morrison, Peters, C. Schoonmaker, S.
Schoonmaker.

The absentees from District V were: Adiletta, Boulton, Dailey, George.

The absentees from District VI were: Baldwin, Grogan, Palen.

The Moderator, Karen A. Armour, Assumed the Chair.

ACCEPTANCE OF THE AGENDA

**** THE AGENDA WAS ACCEPTED BY UNIVERSAL CONSENT.**

**APPROVAL OF THE MINUTES OF THE DECEMBER 12, 2011 STATE OF THE
TOWN MEETING**

**** THE MINUTES WERE ACCEPTED AS DISTRIBUTED BY UNIVERSAL
CONSENT.**

ANNOUNCEMENTS

The Moderator called for a Moment of Silence in memory of Rick Stewart, a former member of the RTM from District I.

The Moderator said that TGS&A held a public hearing last week regarding intended changes to the Charter: 1) Total revision of Chapter 13, RTM; and 2) Rules and Procedures of the RTM. Another subject at this hearing was the description of the role of the Town Counsel. TGS&A is making an effort to make the Charter easier to read. There is a 60-day period of digesting the

comments made at the Public Hearing, and at the March RTM meeting, they will vote on these Charter changes.

12-1

**CONSIDERATION AND ACTION ON THE NEWLY NEGOTIATED CONTRACT
BETWEEN THE DARIEN BOARD OF EDUCATION AND THE DARIEN EDUCATION
ASSOCIATION, EFFECTIVE JULY 1, 2012 AND EXPIRING JUNE 30, 2015**

**** LOIS SCHNEIDER, DISTRICT I, CHAIRMAN OF THE EDUCATION
COMMITTEE, MOVED:**

WHEREAS, on October 13, 2011, the Negotiating Subcommittees of the Darien Board of Education and the Darien Education Association arrived at an agreement covering salaries and other conditions of employment for the Darien teachers; and

WHEREAS, the contract covers a three-year period commencing on July 1, 2012; and

WHEREAS, the Darien Education Association ratified this agreement on November 8, 2011; and

WHEREAS, the Board of Education of the Town of Darien approved this agreement on November 9, 2011; and

WHEREAS, the Collective Bargaining Agreement signed by the Darien Board of Education and the Darien Education Association has been filed with the Darien Town Clerk as required by law on January 5, 2012; and

WHEREAS, pursuant to §10-153d(b) of the Connecticut General Statutes, the terms of said contract shall be binding on the legislative body of the local school district unless said body rejects said contract at a special meeting called and convened for said purpose within thirty (30) days of the filing of the contract.

NOW THEREFORE AND BE IT RESOLVED that the Representative Town Meeting of the Town of Darien hereby approves the Collective Bargaining Agreement between the Darien Board of Education and the Darien Education Association covering salaries and other conditions of employment for the teachers for the three-year term beginning July 1, 2012. Said terms and conditions are more specifically set out in the contract on file with the Darien Town Clerk on January 5, 2012.

**** THE MOTION WAS SECONDED FROM THE FLOOR.**

Lois Schneider, District I, Chairman of the Education Committee, read the written report of the committee (attached).

Bruce Orr, District V, Chairman of the Finance & Budget Committee, read the report of the Finance & Budget Committee (attached), noting that this was the most pragmatic position for this committee to take.

Liz Mao, Chairman of the Board of Finance, said that the Board of Finance had reviewed the terms and come to the consensus that this was a reasonable proposal.

Elizabeth Haggerty-Ross, Chair of the Board of Education, read her statement (attached).

James Cameron, District IV, said he read the entire contract. He asked what the previous three years' step increases had been. Mrs. Haggerty-Ross said they had been 1.1%, 1.5% and 1.5%. Mr. Cameron next asked how many days the teachers work, and Dr. Falcone, Superintendent of Schools, said that teachers work 187 days. Mr. Cameron asked what the unresolved issues were, and Mrs. Haggerty-Ross responded that there are none at this point. If the RTM voted to reject the contract, the RTM would have to be polled to see what they are uncomfortable with. The contract could go in as written. The Board of Education budget represents 2/3rds of the town budget and Board of Education personnel costs are 85% of that budget, according to Mr. Cameron, who said that he had chosen the wrong career. This is a wonderful contract, but this town cannot afford it. Every town department has taken a hit except the Board of Education. He said he would vote against this contract.

Heather Shea, Board of Education, said that personnel is approximately 85% of the Board of Education budget. The teacher contract is approximately half of the personnel budget.

Lois Schneider, District I, said that the Board of Education is under strict review for everything that goes on.

Jack Davis, District V, said he did not agree with Ms. Schneider. This is probably the best contract they will be able to get, and they should not risk losing some of these terms. They have to understand that not all teachers make their steps. Less than 20% of the teachers are at their top levels. This has no effect on the quality of the teachers. This is a maximum increase. He is not happy about the last year, but this is the best they are going to get right now. He will vote in favor.

Reilly Tierney, District I, said he had voted in the Finance & Budget Committee to reject the contract. He was concerned about how the contract was structured in terms of ramping up the increase to 3% in the third year. They have spiraling health care costs. His deep concern is that the 5.6% increase in the second year is the best they will see in the first two years, and the increase in the third year will be draconian. Salaries, health care, special education and others are the big drivers in the Board of Education budget. This is a bad business deal, and it is tying their hands. This is why he is voting against this contract.

Mrs. Haggerty-Ross said their health care costs have been at the forefront of their budgets conversations every year. Calling them skyrocketing costs is an over-statement. They constantly look to reduce health care costs, with the approval of their teachers, and they have the lowest health care costs in the State. Wilton went to arbitration and did not get a better contract than they have mediated. They kept their raises down in the first two years, instituted three new steps. The arbitrator has to consider negotiations prior to arbitration, existing conditions of employment prevailing. This contract will be compared to Greenwich and Wilton, which did not add steps. The Board of Education feels it has made the best deal possible with its teachers. In closing, Mrs. Haggerty-Ross asked the RTM to support their teachers.

Jay Hardison, District IV, said he will vote for the contract although he is a bit disappointed. This directly affects property values.

Seth Morton, District III, said this is his 27th year looking at contracts. The basic framework has not changed. Going to arbitration does not always yield what they think it might. No one is particularly happy with this. He wondered if taking this to the next step would be useful for them. He will support this contract. The real issue is changing the structure.

**** ITEM 12-1 CARRIED ON A RISING TALLY VOTE OF 71 IN FAVOR, 4 OPPOSED, 3 ABSTENTIONS.**

PRESENTATIONS REGARDING WHY OR WHY NOT TO BAN PLASTIC BAGS IN DARIEN

Power Point presentations were made by Leila Wetmore, 217 Middlesex Road; Rhonda Sherwood, Choose to Reuse and Anna Carmody, a senior at Darien High School (attached). These presentations were in favor of banning plastic bags in Darien.

A Power Point presentation in opposition was made by Greg Palmer, Palmer's Market. Al Tibbetts, Chairman of the Darien Chamber of Commerce and Mark Mancini, Manager of Stop & Shop on Old King's Highway also spoke against the proposal (attached).

Bruce Orr, District V, read a statement opposed to banning plastic bags in Darien (attached).

Spencer McIlmurray, District II, said no one is anti-environment; the issue is one of behavior modification. His concern is the idea of enforcement. There should be a program of education and awareness. Who is going to enforce this; are there fines associated with this? It should not be legislated.

Deepika Saksena, District I, and Rhonda Sherwood spoke about the fracking process employed to facilitate extraction of natural gas and harm caused to animals on farms..

Anthony Imbimbo, District I, spoke of a study that showed that a ban on plastic bags led to a reduction in paper bags. He asked if this had gone before other commissions, such as the EPC.

Nina Miller, District II, said that the EPC had unanimously adopted the ban. She spoke to a man who ran a market similar to Palmer's in Colorado and others who owned family-owned markets, and they said it was difficult at first, but it was all about educating the business and the consumers. They saved money by not buying plastic bags and saw a reduction in paper bags. In addition, many people were bringing their own bags.

Dennis Maroney, District III, said he applauded everyone in Choose to Reuse. He puts his bags in the recycling bin. If they are going to ban plastic, they should ban all plastic bags, not just those with handles.

Jen Schwartz, 8 Saddle Ridge Road, said she supports the ordinance. She would fully expect to pay more at Palmer's. She asked how an RTM member takes consensus of the opinion of their constituents.

Jack Davis, District V, said people can listen to their constituents, but at the end of the day, you vote your conscience.

Jayne Stevenson, First Selectman, said we have amazing people who live and volunteer in Darien. They need to do everything they can to reduce their dependence on plastic products. She lives this way, but it should be everyone's choice. The RTM should remember that their job is to address local problems by creating ordinances. They don't have a problem in Darien with plastic bags spoiling their local environment. They should be careful about going down a slippery slope.

**** UPON MOTION MADE AND SECONDED FROM THE FLOOR, IT WAS
UNANIMOUSLY VOTED TO ADJOURN AT 10 P.M.**

Respectfully submitted,

Cheryl Telesco
Telesco Secretarial Services

APPENDIX

DISTRICT I

	<u>(12-1)</u>
Firmin	yes
Glassmeyer	yes
Hegarty	yes
Henderson	yes
Huck	yes
Imbimbo	yes
Kahn	abstain
Kelly, P.	yes
Kernen	yes
Saksena	yes
Schneider	yes
Schulz-Amatruda	yes
Schwarz	yes
Sini	yes
Tierney	no
Valentino	yes

DISTRICT II

Bacon	yes
Ebrahimi	yes
Finn	yes
Hilton	yes
Hoffman	yes
Howe	yes
Magida	yes
Maguire	absent
Marston	yes
McIlmurray	yes
Miller	yes
Mundt	yes
Seelye	yes
Thorne, B.	yes
Thorne, M	yes

DISTRICT III

Anderson	yes
Bayne	absent
Brode	yes
Burke	yes
Cardone	yes
Coyle	yes
Coyne	absent
Duffy	?
Fead	yes
Ferretti	abstain
LeHan	yes
Maroney	no
Martens	absent
Moore	yes
Morton	yes
Olvany	absent
Smith	absent
Young	absent

DISTRICT IV

	<u>(12-1)</u>
Cameron	no
Cleary	yes
Davis	yes
Fiore	yes
Hardison	yes
Kemp	yes
McIlree	yes
Millar	abstain
Morrison	absent
Peters	absent
Rayhill	yes
Rycenga	yes
Savage	yes
C.Schoonmaker	absent
S.Schoonmaker	absent

DISTRICT V

Adiletta	absent
Boulton	absent
Bumgardner	yes
Camuti	yes
Conniff	yes
Dailey	absent
Davis	yes
George	absent
Hennessy	yes
Orr	yes
Patrick	yes
Ritchie	yes
Russell	yes
Sharp	yes
Stolar	yes
vanderKieft	yes

DISTRICT VI

Adelman	yes
Armour	Did not vote
Baldwin	absent
Broecking	yes
Conologue	yes
Grogan	absent
Guimond, M.	yes
Haas	yes
Hawkins	yes
McDermott	yes
McLean	yes
McNamara	yes
Palen	absent
Plehaty	yes
Poli	yes
Swenson	yes

RTM Education Committee Report to the RTM on January 23, 2012

Good evening. My name is Lois Schneider and I am Chair of the RTM Education Committee.

With no objection, I would like to waive the reading of the text of resolution numbered 12-1. I would like to move this resolution. Do I have a 2nd?

At the Regular meeting of the RTM Education Committee on January 9, 2012 with ~~11~~ 13 of 16 members present, our committee met to discuss and vote on the new contract with the teachers. We held a joint meeting with F&B and our guests at the meeting were members of the Board of Education and the Administration many of who were part of the negotiating team. We thank them for their responsiveness to our questions in the meeting. We evaluated the negotiated contract, the summarizing memos and answers to questions raised by the group. A series of questions relating to overall personnel costs and total teacher costs over the life of the contract were requested as additional information. They included health insurance, pension costs and unemployment insurance. The committee chose to vote at this meeting rather than waiting for the additional information as several members present would not be at our next meeting. Those that wanted to see the additional information abstained in the vote. We voted 8 in favor, 0 opposed and 5 abstentions.

The contract under consideration covers 446 teachers for the 3-year period starting on July 1, 2012. The negotiation process between the teachers' union and the Board of Ed is a highly defined process meant to encourage resolution and avoid work stoppages. This year the agreement was reached in the mediation stage. Ms. Hagerty-Ross, the Board of Education chair, explained that the RTM could approve, not decide (which lets the contract go thru) or vote no which sends the list of issues to arbitration with its own risks and rewards.

The majority of our committee members supported the resolution, as teachers are the key element in the success of our students' education. While the contract agreement is higher than a number of us would have liked, we understand that a negotiation with a union is a give and take and several issues with longer term implications were addressed.

The structure of teachers' salaries is based on steps and general wage increases. The increases are 2 fold – step increases that reward seniority and increased educational levels of a teacher (e.g. Masters degrees +) and a general wage increase. The salary structure is a complex combination of years of service and advanced degrees and/or credits completed by teachers. Increases occur within steps. An individual teachers' increase depends on where they are in the step.

The significant long-term changes in the contract include:

- the addition of 3 steps in the contract to slow down some large step increases which were in the previous contract,
- instead of all teachers going up a step each year, this contract has an increase of 2 steps over 3 years,
- the health insurance plan going forward will be an HSA plan which helps reduce plan costs and increases while still delivering good health coverage.

To obtain these, the negotiating team agreed to a number of changes including

1. a whole step increase in year 3,
2. general wage increase in years 2 and 3 for the teachers at the top step
3. increase in stipends of 1% each year with no step movement.
4. reduction in employee premium share for health care from 19% to 17% for year one with increases in each subsequent year.

Total estimated salary increments are 1.25%, 2.02% and 3.36%. Our previous contract settlement was completed as the current economic decline was starting and the teachers total estimated increases were 3.9%, 4.2%, and 4.2% over the past 3 years. The salary increase estimate is based on the impact of the new contract on the current teacher headcount. With teacher retirements and other changes, actual results will vary from this amount. The total estimated cost with the additional changes are .46%, 1.87% and 3.21% subject to increases in general health insurance, unemployment and other teacher benefits as several members of the committee pointed out.

On a comparative basis with other towns, while our salaries are competitive, we have a lower cost for health insurance that can limit the potential for decreases in contract costs. I will leave it to my fellow presenters to discuss comparative contract settlements with our nearby towns.

Recognizing the importance of teachers to our children, our educational system and the desirability of our town along with considering the fiscal implications of the settlement, the majority of the members of the Education Committee supports this teachers' contract and recommends that the RTM do the same.

Thank you very much.

**Finance & Budget Committee
Report to RTM, Jan. 23 , 2012**

**(12-1) RTM RESOLUTION APPROVING CONTRACT BETWEEN THE
DARIEN EDUCATION ASSOCIATION AND THE DARIEN BOARD OF
EDUCATION**

I am Bruce Orr, District 5 and Chair of Finance and Budget.

The F&B committee met, along with the Education Committee on January 9, 2012, with 13 of 14 members present and again on Jan. 17, 2012 with 12 of 14 members present... comprising a quorum at both meetings. At the Jan. 9 meeting, we were joined by members of the BOE and School Administration and by reps from the BOE on our Jan 17 meeting.

Prior to the Jan. 9th meeting, our Committee supplied written questions for the BOE to address in our joint meeting. At this meeting, we were provided with an overview of the Contract, background on the negotiations and benchmark data from other Towns in the State and from our District Reference Group. At our Jan. 17th meeting we were also joined by representatives from the BOE, where we discussed and took action on this Resolution.

I will not repeat the details of the Contract terms that Ms. Schneider has already summarized for you and we will likely hear more from the BOE later.

As I will state later, while the F&B Committee has voted favorably on this Resolution, our debate on this very important financial commitment was highly charged... especially given the current and last couple year's economic environment. Salary and benefits for the annual education spend represent nearly 85% of the current \$76 million budget.... A 1.5% salary increase at current staffing levels equals about \$800k a year... and they stick with the District forever.

Our debate, charged as it was, centered mainly on our options if we (the RTM) did not approve or did not bring the Resolution to a vote. Let me just quickly review these options, which are covered by State Statute:

- A approval... it goes forward
- The body does not bring it to a vote... it goes forward
- A No vote... the contract terms and conditions... not just salaries, but the whole package, including benefits, goes to a State Arbitration panel, who's action is binding.

While we did vote to approve this Resolution, the general consensus of those Committee members who voted in favor, was that if this Contract went to arbitration, there was a slight chance that the Board could get marginally better terms and there was an equally slight chance that the terms and conditions could be worse. We came to this conclusion by reviewing available salary & benefits information from similar districts who have recently agreed to contracts.

The dissenting votes were particularly disappointed at the step increase of +3% in the final year of the contract. Both dissenters and approvers felt that moving Health Benefits to an HSA was a positive step towards keeping ever rising health care costs in check... but as we all know the true cost of health care is primarily driven by external factors and they are expected to continue to rise well above underlying inflation.

Bottom line for us is from a financial view, no one was thrilled with wage increases with this Contract, but given the above options and continuing need to attract quality teachers, the Committee voted 10 in favor and 2 against.

Bruce G. Orr, Sr.
Chairman, Jan. 23, 2012

Presentation to the RTM for the 2012 – 2015 Contract with the Darien Education Association (DEA)

Good Evening, Madame Moderator, members of the RTM, fellow elected officials and interested citizens, on behalf of my colleagues on the Darien Board of Education, I am here tonight to present the 2012-2015 Contract with the Darien Education Association (DEA) which has been ratified by both the Darien Board of Education and the Darien Education Association.

The Connecticut Teacher Negotiation Act defines the timeline for our Teacher Negotiations. It is divided into three stages, Negotiation, Mediation, and Arbitration. The statute provides specific dates that must be met in order to assure that a new contract is in place before the existing contract expires.

During August and September 2011, negotiations were held with the DEA and issues from both sides were laid out on the table. By September 23, an agreement had not been reached and the process moved into Mediation. Both parties mutually agreed to a Mediator and Mediation began on October 12 and ran into the early morning of October 13. An agreement was reached which is the contract that we are presenting this evening.

The mediated contract was ratified by both parties and filed with the Town Clerk on January 5, 2012.

You, the RTM now have the opportunity to approve the contract.

If the RTM chooses to send this contract to Arbitration, a panel of three arbitrators or a sole arbitrator will be mutually agreed to by both parties. Both parties will submit “last best offers, issue by issue” on all unresolved issues.

The Board of Education is solely responsible for the content of its last best offer.

The arbitrators will consider the negotiations between the parties, including the offers and the range of discussion of the issues. The arbitrators will issue an award that will incorporate any agreements reached between the parties at any time prior to the issuance of the award and shall include the last best offer of one of the parties on the disputed issues.

The arbitration award is binding unless rejected by the RTM by a 2/3 vote for a second time. At this point, if the RTM were to reject again, a 2nd panel of arbitrators would be selected and they would review the award and issue a final and binding award on each rejected issue. This time the cost of the arbitration would be borne by the RTM.

The Board of Education actually started its process in June 2011 by meeting with the DEA to set our meeting dates. We then met as a full Board with our attorney, Mr. Thomas Mooney, to discuss our strategies and goals for the negotiation. The negotiating Committee, which consisted of myself, Mrs. Kim Westcott, Ms. Clara Sartori and Ms. Heather Shea, Dr. Stephen Falcone, Mr. Dick Huot and Liz Mao, Chairman of the Board of Finance met with Mr. Mooney and our Healthcare consultant, Mr. Joe Fields, to discuss and design our options for the Healthcare portion of the negotiation. We also met in July with the Board of Finance to discuss their expectations of the negotiations.

The Salary portion of a teacher contract has two components, a GWI or General Wage Increase and a Step Increase. GWI is an annual increase and it is applied to all the steps in the salary schedule. A step increase is a longevity increase, as teachers move through the salary schedule during their time in a school district. When the negotiating committee began to run our salary models we realized that if there were no modifications to our current salary schedule, we would be facing increases in Step alone in the 3% range per year, almost 9% for the life of the contract. In addition as teachers moved through steps 13 to 14 or 14 to 15, they could realize increases between 5 and 7% per year. Therefore, it was important to restructure this schedule and add additional steps. This is not a common practice, but a necessary one in order to make this contract negotiation work. During negotiations, we were able to insert three additional steps and smooth out the increase teachers will be receiving as they move through the new salary schedule. This saved approximately 100,000-200,000 per year.

In this contract, we negotiated a delay in our step increases during the first two years. This resulted in two steps over a three-year contract. We have a hard freeze on our General Wage Increase in the first year of the contract and the GWI for the remainder of the contract is 2.25% only for the teachers on the maximum step level. This was important because we were looking to have a significant savings in year one and a gradual increase in years 2 and 3.

The other important piece of the negotiation is always Healthcare coverage. Over the last several years, the Board of Education along with the Darien Education Association has been very aggressive in trying to keep our healthcare costs in check. As a result, we have one of the lowest healthcare costs in the State of Connecticut. The DEA has agreed to move all of its eligible members to a High Deductible Healthcare Savings Account, which has an overall lower cost, compared to our current healthcare coverage.

One last piece of information I would like to share is a comparison to our neighbors and their negotiations.

Greenwich led the way this season and they negotiated a 7.31% increase over three years. They too move their teachers into an HSA with a co share of 10,11,12 %.

We settled next and Weston followed behind. They settled for 6.84%, all HSA for their teachers with a cost share of 13, 13, and 14%.

New Canaan and Westport negotiated their contracts in 2009 and in comparison; they are both at 3.75 for the 2012-2013-contract year.

The big news was Wilton. The Board and the Teachers did not reach an agreement within their timeline. They went to arbitration and their award was announced on January 13. They were awarded a 1.26, 2.22, and 2.65% increase totaling 6.13% over three years. Similar to our mediated contract they have two steps over three years, and they have moved their teachers into an HSA. Their teacher co share is lower than ours is at 14,15 and 16%.

I would like to thank my fellow members of the negotiation committee, Dr. Stephen Falcone, Mr. Dick Huot and Mrs. Mao for all their hard work and dedication to the negotiations. I would like to thank the Board of Education and the RTM, especially the RTM – Education and Finance and Budget committee for their time and thoughtful questions regarding the contract. Lastly, The Darien Education Association for understanding the economic issues that are facing Darien and striking a deal with us that is fair and equitable to all involved. I ask that you the RTM approved the 2012-2015 Teachers Contract as written. Thank you for your time this evening.

NOTES FOR 1/23/12 RTM MEETING -- DRAFT 10

Introduction

Slide #1 Opening Slide

Thank you for the opportunity to present a proposed retail shopping bag ordinance for the Town of Darien.

My name is Leila Wetmore and I am a member of Choose to Reuse, a group of residents working to promote the use of reusable shopping bags in our town.

Slide #2 CTR Mission

Choose to Reuse has spent the last 2 years studying the effect that plastic shopping bags like these (hold up sample) have on our environment. We have also researched the current recycling efforts and their effectiveness.

Slide #3 – List of Venues

All the while, we have conducted an education and promotion campaign about the benefits of reusable bags in over 30 forums and town meetings. We have collected over 800 signatures of residents who support our proposed ordinance and received dozens of letters of support from the community and civic leaders.

Slide #4 Ordinance

After these two years of study, we are proposing that the Town of Darien adopt an ordinance to modify our retail behavior ^{*Modestly*} ~~ever so slightly~~ in order to *dramatically* reduce the amount of plastic that we contribute to the Long Island Sound, our beaches, tree branches and storm drains.

Slide #5, Focus of Research and Study

Our research has been extensive including:

- the *impact* of these bags on our environment,
- The *facts* and myths of plastic bag recycling

- The *interest* of our community in supporting this ordinance, and the
- Potential *impact* on local merchants.

Slide #6 Plastic Bag Facts

Plastic bags are made from polyethylene, which is derived from natural gas and petroleum – two of our most precious and non-renewable resources. Plastic ^(retail shopping) bags like these (lift or refer to bag) were first introduced in the late 1970's and now, they account for 4 out of every 5 bags handed out at grocery stores (reusablebags.com). According to The Wall Street Journal, the United States goes through 100 *billion* plastic shopping bags annually. So what does that mean for Darien? Well, based on our research, Darien uses an estimated 6 *million* each year.

Slide # 7 Why do we Care?

Now, what is the Impact of our plastic bag habit, and why do we care?

Plastic bags pose 4 primary concerns:

1. They do not biodegrade. They will last in our environment for *centuries*.

Darien's dump throws plastic bags in with the rest of the garbage and sends it to the incinerator in Bridgeport which turns ^{our garbage} it back into energy. But, plastic bags do not just "disappear" when burned. There are byproducts when you incinerate plastic bags, including sludge and toxins that contaminate our ground and water supply, and airborne particulates that increase air pollution and the incidence of asthma.

2. Plastic bag litter has a negative impact on the 9 billion dollar annual economy of the Long Island Sound. They wrap around boat propellers, ~~clog storm drains~~, and contaminate our seafood and water. (according to Greenpeace)

3. World wide, plastic bags entrap, suffocate and poison hundreds of thousand of our marine wildlife, birds and turtles each year. Plastic bags represent more than 80% of all marine litter. And,

4. According to the EPA, only 12% of plastic waste in the category of bags and wraps was recycled in 2010.

Slide #8 Bags not recycled slide

In Darien, that means, out of the estimated 6 million bags used by Darien residents each year, over 5 million plastic bags are not recycled.

These plastic bags, used merely for a few minutes of convenience, deplete precious natural resources when produced and once made and discarded, they contaminate our land, air and water. Plastic litter doesn't go away: It stays in our environment for centuries.

So, we recognized the importance of reducing the amount of disposable plastic waste in our environment and looked to successful solutions that other communities have implemented to tackle this problem.

Slide # 9 List of Towns and Countries participating in bans

Here are towns that have taken proactive steps to improve their environment. Ordinances in Westport, Rye, Southampton Village, and East Hampton have all addressed this specific problem, and our ordinance has been modeled after theirs.

Slide #10

Cities, and entire countries around the world, are choosing to remove plastic bags from the consumer stream. These towns and cities, and their businesses, continue to thrive, without plastic bags.

Slide #11

In our conversations with hundreds of people over the past two years, we have heard two primary concerns: 1. The effect that an ordinance may have on our local merchants and 2. the idea that over-regulation is not necessary. Rhonda Sherwood, a member of Choose to Reuse will address these concerns.

Rhonda

We decided the best way to address the concern that an ordinance would financially burden local merchants was to:

1. Talk to each Darien merchant who distributes shopping bags – about 146 of them.
2. Talk to merchants in other towns with plastic bag ordinances to determine how these merchants were financially affected from the switch from plastic to paper or reusable bags.

Slide #12

Here's the bottom line: 75% of Darien merchants don't use plastic bags or they do agree to a voluntary ban.

Slide #13

And of the 34 Darien merchants who use plastic shopping bags, 14 are chain-type stores, and this point is critical:

Slide #14

Of the 6 million bags distributed annually in Darien, more than 50% of them come from our two Stop & Shops and CVS and Walgreens. The Manager of CVS said he hands out at least 1,000 plastic bags a day, and the Managers of Stop & Shop told us that their two stores distribute approximately 3 million plastic bags each year.

Slide #15

The managers of these chain stores do not have the authority to change their plastic bag distribution policy without an ordinance.

But what about our 20 or so local merchants who distribute plastic bags? Can we support them AND this ordinance? (pause) Yes!

Passing the plastic bag ordinance does not mean you are NOT supporting Darien merchants! If you want to support local merchants, who we ALL believe are crucial to the unique character of Darien, the best way to do this is to SHOP AT LOCAL STORES, with your reusable bags!
(pause)

You may hear others tell you that paper bags are more costly and polluting, but that statement does not take into consideration the fact that:

Slide #16 *We cut down - S's - manage*

merchants in towns with a plastic bag ordinance told us that:

- didn't have to buy plastic bags anymore, so that saved them money.
- made a profit from selling reusable bags,
- And most importantly, used less paper bags because people brought in their reusables.

Slide # 17

- And, they *did not see a decrease* in revenue, or lose customers, after the ordinance was enacted.

And if you do forget your reusable bag, and have to use a paper one, remember that:

- Paper bags hold more stuff than plastic bags
- And they, like plastic, can be used to line your garbage cans

Slide #18

Here's a quote from Oscars Deli in Westport. "Since the imposition of Westport's plastic bag ban in March 2009, my business has not suffered to any extent. I started off as a reluctant participant but now...I am a fan.... It is ultimately the right thing to do."

The second objection we hear regarding a plastic bag ordinance is "big government"- that it takes away our freedom and we already have too many rules.

Slide # 19

But as participants in an organized society, we all accept *some form* of regulation in our every day lives- whether it's fastening our seat belts when we drive; disposing of our waste in the proper trash receptacles; picking up after our pets; not drinking and driving... Once we got in the habit of doing these things, compliance was really not an issue.

Some have asked why we can't simply educate consumers on the benefits of reusables and recycling. Based on the low success rates of education programs in Wilton CT and Phoenix Arizona, we believe such efforts will not significantly decrease the number of plastic bags distributed from Darien merchants. The president of Wilton Go Green told us that despite their herculean efforts, they were disappointed with the results of their education program.

There has been much success with legislating specific actions that have health and environmental consequences and we think a plastic shopping bag ordinance falls within these criteria.

Leila Resumes

Slide #20 Ordinance Facts

The purpose of this proposed ordinance is to encourage shoppers to rely on *reusable* bags. The Darien ordinance is virtually identical to those in similar communities. We are not inventing anything new, but going with what has *worked* in other communities similar to ours. This ordinance includes plastic bags of a *specific size*. **It does not include** bags for meat and produce or larger bags used for dry cleaning.

- As for enforcement – compliance complaints will be consumer driven. Westport has not had to enforce the law since it was enacted in 2009.
- And, as for Timing – Businesses that dispense this type of bag will have 6 months after ordinance is passed to deplete their inventory and inform their customers of the change.

Slide #21

Over the last 2 years we have collected the support of residents, merchants and local leaders. Plastic manufacturers and lobbyists will offer contrary arguments to protect their own interests and I urge *you* to *check the facts* and seek *us* out to confirm our research.

As much as we recognize the importance of an education campaign, it is only **one component** of a broader initiative to increase awareness and help change habits for the better. Passing this ordinance is a critical step in the process of significantly improving our environment.

I am proud to introduce Hannah Carmody, a senior at Darien High School to close our presentation.

Slide #22

Hannah

Last March, for an Environmental Science project, classmates and I teamed up with Choose to Reuse and focused on plastic shopping bag usage in our town. Our group presented the results of our project to the Board of Selectmen on April 11th in hopes that they would join our passion for moving this ordinance forward.

We wrote a petition in support of an ordinance on single use plastic shopping bags in Darien, and circulated it at Darien High School.

The petition that was signed by many students showed us that the overall consensus was that our generation wants to see an ordinance passed that would stop the use of these plastic shopping bags. I am a senior at Darien High School...Knowing that in a few months I will be graduating and moving off to college, it makes me feel sentimental about the beautiful community we live in. I want to come home and know that we are continuing to make positive changes for Darien.

As members of the younger generation, if this proposal were put in place we would be making

a difference in the environment and in our world, a switch that would deeply affect our future. Please think this over carefully. By making this decision now, you will be making a decision for all of us. As our role models, protectors, and decision makers, please do not leave us burdened with a mess that we have no power to oppose or to eliminate.

Thank you for nurturing us and providing us with a safe and beautiful town. And thank you in advance for giving us a clean environment that we, following in your footsteps, will safeguard forever.

Choose to Reuse started with a mission.

To promote the use of reusable bags in every
aspect of everyday life and eliminate disposable
bags in Darien

Which got Lost in an Agenda:

To eliminate just one type of disposable bag.

First we need to answer some questions.

- › Which Bag – Paper or Plastic is more environmentally friendly?
- › Who is responsible for the environment?
- › What is the cost to local business?
- › What are we doing to support the environment and the community?



Myth: Paper is better than plastic.

Paper bags are better than plastic, right? The answer is "Absolutely NOT" (see the evidence)

- › If plastic bags are banned, stores and consumers will simply switch to paper bags. That has already happened in San Francisco.

How would that affect global warming? It will make it worse. Paper bags result in up to 3.3 times more greenhouse gas emissions over their life cycle than plastic bags based of the same carrying capacity.

Issue 1: Energy and natural resources

- For every seven trailer loads needed to deliver paper bags, only one trailer load is needed to deliver the same number of plastic bags, helping to save energy and reduce greenhouse emissions.
- It takes more than four times as much energy to manufacture a paper bag as it does to manufacture a plastic bag.

Issue 2: Pollution

- POLLUTANTS PAPER V.S. PLASTIC
Paper bags generate 70% more air and 50 times more water pollutants than plastic bags.
- Source: "Comparison of the Effects on the Environment of Polyethylene and Paper Carrier Bags," Federal Office of the Environment, August 1988

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Issue 3: Recycling

- It takes 91% less energy to recycle a pound of plastic than it takes to recycle a pound of paper. But recycling rates of either type of disposable bag are extremely low, with only 10 to 15% of paper bags and 1 to 3% of plastic bags being recycled, according to the Wall Street Journal.

ENERGY TO RECYCLE PACKAGE ONCE (BTUs)

Safeway Plastic Bags: 17 BTUs

Safeway Paper Bags: 1444 BTUs

Source: 1989 Plastic Recycling Directory, Society of Plastics Industry.

Although paper bags have a higher recycling rate than plastic, each new paper grocery bag you use is made from mostly virgin pulp for better strength and elasticity.

It takes 14 million trees to make the 10 billion paper bags Americans use per year.

Only One Choice?

- Studies show that if LA County bans plastic bags and still allows free paper bags there will a dramatic increase in greenhouse gas emissions.
- Based on the *Scottish Report* and the *Boustead Report*, the annual increase would be equivalent to the CO₂ emissions emitted by adding between 27,000 and 63,000 passenger vehicles to the roads.

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Who is responsible for the environment?

- › Businesses?
- › Consumers?
- › The Environment is a shared responsibility.
- › But, by banning just plastic bags the burden is put on businesses.

The Cost to Our Business

- › Plastic bags cost approximately 4 cents.
- › Paper Bags cost approximately 11 cents.
- › Consumers choose Plastic 60% of the time.
- › By banning plastic bags, our bag cost will increase by 7 cents a bag.
- › That would translate to approximately \$25,000 to \$30,000 in increased bag expenses per year.

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What We have been doing to encourage Reusable Bag Use .

- › We have been offering 5 cents per bag incentive to reuse any bag at checkout, Reusable, Paper or Plastic bags for at least 10 years.
- › Offering a Free reusable bag for \$100 purchase or more and selling the bag below our cost.
- › 95% of those bags have been given away at an approximate cost of \$70,000 over the past 4 years.
- › These efforts have helped reduce the use of both paper and plastic bags by about 40% from 6 years ago!

Palmer's Market:

- › Committed to the Environment
- › Committed to the Community
- › Darien Going for the Green:
 - › I pledge to the community to make "Going for Green" part of my way of doing business in Darien. As I make decisions for my business, I will consider green options to help make Darien and the Earth a safe and hospitable home for present and future generations.

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Night curtains on Refrigeration cases

Reduces power consumption by keeping cold air in and reduces store heating in the winter. We also use reclaimed heat from the refrigeration system to heat our store.



High Efficiency Frozen Food Cases

LED Lighting and efficient fans help reduce power consumption saving an estimated 72,255 kWh over their lifetime. This is equivalent to not burning 3,000 gallons of oil and reducing greenhouse gas emissions and other air pollutants equivalent to 74,489 pounds of carbon Dioxide, 23 pounds of Nitrogen Oxides and 41 pound of Sulfur Oxides.

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Palmer's Plastic Bag Recycling

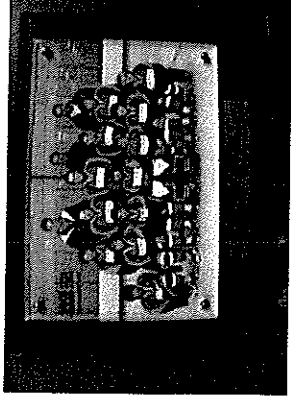
We offer free recycling of all your plastic bags at a cost to us.



We have large signs reminding customers to Bring Your Own Bag.

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- › Committed to the community



From youth sports to community needs

Palmer's has supported: Well just about everything. Just ask or look around.

Solution

- › Choose to Reuse and the Darien Chamber of Commerce should team up to promote the use of reusable bags through educational presentations, and window reminders at local merchants
- › Promote easier recycling for plastic bags and film of all shapes and sizes at the Darien Transfer Station.

Conclusion

- › Paper bags are more harmful to the environment than Plastic bags.
- › The Environment is a shared responsibility and the burden should not be put on businesses.
- › Bring Reusable bags whenever you go shopping because it's a win-win for everyone.

Thank you for the
departure myself off a lot of, very our German
who would like to exercise their right to
Americans
of the chosen

GREG PALMER HAS ASKED US TO SPEAK TO YOU IN SUPPORT OF HIS POSITION THAT HE SHOULD BE ABLE TO MAKE THE DECISION AS TO THE TYPE OF BAG THAT HE IS PROVIDING HIS CUSTOMERS. PALMERS HAS ALWAYS BEEN A GREAT SUPPORTER OF THE CHAMBER OF COMMERCE, AND, IN FACT, HAS BEEN A GREAT SUPPORTER OF MANY DARIEN ORGANIZATIONS THAT BENEFIT OUR COMMUNITY.

YOU MIGHT THINK THAT "OF COURSE TIBBETTS IS HERE, THE DARIEN CHAMBER OF COMMERCE IS ONLY INTERESTED IN SUPPORTING THE BUSINESS COMMUNITY." IT'S A BIT MORE COMPLICATED THAN THAT.

THE CHAMBER OF COMMERCE IS SOLIDLY IN SUPPORT OF ITS MEMBERS' ENVIRONMENTAL INITIATIVES. OUR WEBSITE HAS A PAGE ENTITLED "DARIEN GOING FOR GREEN," WHICH IS AN ANNUAL EVENT THAT AWARDS A CHAMBER MEMBER WHO HAS DEMONSTRATED A COMMITMENT TO IMPROVE OUR ENVIRONMENT. IN FACT, WE ENDORSE "CHOOSE TO RE-USE" ON THAT SAME WEB-PAGE.

THE MISSION STATEMENT OF THE DARIEN CHAMBER OF STATES THAT THE CHAMBER IS COMMITTED TO TAKING A LEADERSHIP ROLE IN SUPPORTING THE BUSINESS COMMUNITY AND QUALITY OF LIFE IN DARIEN. THERE ARE TWO PARTS TO OUR MISSION - SUPPORTING THE BUSINESS COMMUNITY AND SUPPORTING THE QUALITY OF LIFE IN DARIEN.

WHAT THIS MEANS IS THAT THE DARIEN CHAMBER WILL NOT SUPPORT A BUSINESS IF A MEMBER OF THE CHAMBER IS PROPOSING A COURSE OF ACTION THAT WILL NEGATIVELY AFFECT THE QUALITY OF LIFE IN DARIEN.

REITERATING THE STATEMENTS MADE BY GREG PALMER THE ISSUE OF PAPER VERSUS PLASTIC IS NOT CLEAR.

WHAT IS CLEAR IS THAT PALMERS WILL BE AFFECTED FINANCIALLY FROM A PROPOSED BAN ON PLASTIC. PALMERS ACTIVELY SUPPORTS THE USE OF RE-USEABLE SHOPPING BAGS, BUT MANY OF ITS CUSTOMERS WANT TO BE ABLE TO CHOOSE.

WHAT IS ALSO CLEAR IS THAT PALMERS IS A VALUED MEMBER OF OUR COMMUNITY AND NEEDS OUR SUPPORT, AND THIS IS WHY THE DARIEN CHAMBER OF COMMERCE IS IN SUPPORT OF PALMERS.

THANKS FOR GIVING ME YOUR TIME AND YOUR PATIENCE, AND - CHOOSE TO REUSE!



Darien Testimony on January 23, 2012

Good evening ladies and gentleman. My name is Mark Mancini and I'm the Store Manager at Old King Highway in Darien. and my colleague Michele Witcher is the Store Manager for 198 Heights Road. We understand and certainly appreciate the effort that you and the committee have done in reviewing all of the warrant issues and making decisions in the best interests of the entire Darien community. We have been a grocer in this community for many years and would like to work with you to ensure that a plan put in place is mutually beneficial to businesses and the residents of Darien.

Our company is strongly committed to protecting the environment and improving the quality of life of our associates and all our customers we serve, including the residents of Darien.

We would like to share with you some of our company's environmental initiatives.

Stop & Shop initiated a 5-cent credit reusable bag program in 2008.

- We encourage our customers and associates to use reuse bags.
- We have a sign in front of the store entrance reminding customers, "Don't forget your reusable bags."
- We give a 5-cent credit for bags reused at the check-out. This includes plastic, paper, cloth or any type of bags. The goal is to reduce the use of plastic and paper in the environment.
- In addition, our Consumer Advisor has written column in which customers are encouraged to "think green" and act in a way, which protects the environment.
- We have been awarded the last 2 years an A+ grade by the Citizens Campaign for the Environment for our efforts in encouraging plastic bag usage.

We have programs in place to recycle plastic bags and corrugated cardboard boxes.

- All of our Connecticut stores of our stores accept plastic bags for recycling.
- We have collection bins at the front of each store.
- The plastic bags are sent to a recycling vendor where they are recycled into composite lumber and other recycled commodities.
- We also have a program in place that recycles old shrink wrap and corrugated boxes from our stores and distribution center.
- We have recycle bins to accept any plastic bag, and in turn we send the plastics to third party processors who recycle the material.

We strongly believe that educating and encouraging our customers to use reusable bags, thus reducing both plastic and paper bags, is the best solution to aid in the protection of the environment.

Summary: We encourage the town of Darien to promote the use of reusable bags rather than banning plastic bags completely. We fully support an educational program to encourage citizens of the town to use reusable bags versus plastic and paper bags. We did an educational program in the town of Wilton, where we promoted and gave away 8,000 reusable bags and we would like to do one similar in your town.

Thank you for your time.

Note: Stop & Shop is a member of the U.S. Green Building Council and has been awarded **Leadership in Energy and Environmental Design (LEED) Certification** for 50 of our existing stores. We have 230 stores that meet the “Energy Star” criteria by EPA.

Remarks on Proposed Ban on Retail plastic Bags

Bruce G. Orr

January 23, 2012

I am Bruce Orr, District V

While most RTM members know me as the Chair of the F&B Committee, for background and transparency purposes, let me first tell you a little bit about myself:

I am a trained biologist and my entire career has been in the energy, chemicals, plastics and life sciences industry. I am currently a Principal in a Global Energy and Chemicals consultancy. I originate and lead projects for both manufacturers and financial investors involved in the Industry. Currently about 1/3 of my project work is in what many describe as the "Clean Tech" sector in the areas of energy efficiency, bio-renewables and... yes, recycling. While I am deeply involved in both the technology and commercial aspects of the industry, I am also an environmentalist; I served on the Board of Trustees of the Darien Land Trust and I am a long-time member of the Nature Conservancy.

I think the name of the organization that is proposing a ban on plastic shopping bags - Choose to Reuse - is spot on, as I am a huge and informed citizen for recycling - but totally against any kind of municipal ban on plastic bags.

I personally reuse and or recycle nearly every bag that enters my home... including the blue New York Times bag, the bags I put my apples in and yes, the plastic shopping bags.

High and Low density polyethylene film, which almost all plastic bags are made from, is one of the more recyclable plastic materials... far more recyclable than plastic PET bottles, polystyrene and other polymers. There are more than 12,000 plastic bag recycling locations across the US and in 2009 more than 855

million pounds of plastic bags and other film were recycled. That is a 31% increase from 2005. Plastic bags can be made into dozens of useful new products, such as building and construction products, low-maintenance fencing and decking and, of course new bags.

A huge misunderstanding in the general public is that paper bags - which are the primary alternative if you forget your reusable bag - are better for the environment; this couldn't be farther from the truth. The facts are that manufacture, use and consumption of paper bags dramatically increases greenhouse gas emissions, energy use and bulk wastes. In the United States, 80% of the ethylene used to make polyethylene, uses natural gas as a raw material, not oil. Much of the energy used to make plastic bags is embodied in the bag itself, and since plastic bags are fully recyclable, that energy is available for new products. The energy and the massive amounts of water that are consumed to both manufacture, transport and recycling of paper are mind-boggling.

In 2007, San Francisco banned the use of non-compostable plastic check-out bags in supermarkets and grocery stores doing over \$2 million in annual sales. In 2008, an environmentally conscious group called "Use Less Stuff" completed an audit to determine the effects of the ban. Use Less Stuff's mission is "helping people use less stuff by conserving resources and reducing waste"

Here are the conclusions and executive summary of their audit:

Conclusions/Indicated Action

"1. If reducing environmental impact is the objective of the Ordinance, results to date do not indicate it will be successful. First, little use of reusable bags was observed. Second, the replacement of plastic by paper and the return to double bagging may actually increase environmental impact, as many peer reviewed

lifecycle studies indicate that paper bags use more energy, produce more waste, and generate more greenhouse gas emissions than do plastic bags.

2. Given the demand for recycled plastic combined with the desire of many consumers to help recycle, the State of California should consider revising AB 2449 to ensure the presence of plastic bag recycling bins in all larger stores, regardless of bans. The plastic bag recycling bins that were still available in San Francisco contained dry cleaning bags, produce bags, and bags from non-grocery retailers.

Based on this continued use of existing bins, there is still public desire to recycle plastic bags, and apparently awareness that it is valuable to do so. Given the fact that there is still significant usage of plastic bags in San Francisco among independent grocers and other retailers, these bins can help ensure that plastic recycling rates improve, and the volume of recycled material increases". – END

In summary – I fully and whole heartily support the approach of "Choose to Reuse" - not to ban plastic bags, but to channel their energies to policies and approaches that educate and encourage citizens – and retail vendors - to dramatically increase our recycling rates of plastic films and other valuable resources.

Bruce G. Orr, Sr.

January 23, 2012.